

Applicant: Kari M. Mäki
Application No.: 09/966,424
Response to Office action mailed Sep. 15, 2005
Response filed December 5, 2005

Remarks

Claims 2–11, 19, and 20–21 remain pending in the application. New claim 21 has been added. In the Office action dated Sep. 15, 2005 claims 2–11, 19, and 20 were rejected as indefinite and as obvious over applicant's admitted prior art (*AAPA*) and *EP 0 822 473* and *Myotoyama* or further in view of *EP 0 825 506*. All the claims were also rejected as obvious over *EP 0 822 473*, *Lavigne* and *Myotoyama* or further in view of *EP 0 825 506*.

Claims 19 and 20 have been amended to overcome the §112 rejection by constantly referring to “information systems” throughout. New claim 21 uses alternative language (inclusive or) rather than Markush group format, and claims a plurality of production plants as shown in FIG. 3 of the application. The definite article before “IP addresses” has been removed in claim 4 to improve definiteness.

“Production plant(s)” in the preamble of claims 19–21 refers to: a paper mill, or a board mill, or a pulp production plant, or a paper finishing plant, and is a positive limitation “breathing life and breath” into the claims, and “Production plant(s)” is referred to in the body of the claims making the preamble a positive limitation of the claims.

The claims as amended distinguish over a generic factory as disclosed in *EP 0 822 473* by being a method for servicing a paper mill, a board mill, a pulp production plant, or a paper finishing plant. Further *EP 0 822 473* teaches performing or managing maintenance, communicating information associated with maintenance, and monitoring operational states, (col.1, lines 30–41) while applicant's claims are limited to performing additional functional steps which are limited to a paper mill, a board mill, a pulp production plant, or a paper finishing plant.

Claim 19 requires “using the information systems to supervise and control the processes of the production plant”, a function not disclosed in *EP 0 822 473*, particularly not disclosed with respect to a paper mill, a board mill, a pulp production plant, or a paper finishing plant.

Claim 20 similarly requires “using at least one of the information systems to supervise and control the process of the production plant”.

Applicant: Kari M. Mäki
Application No.: 09/966,424
Response to Office action mailed Sep. 15, 2005
Response filed December 5, 2005

New claim 21 requires "utilizing a process control system to receive selected target values of variables relating to the production of pulp, paper, board, or paper finishing, and to gather measurement data from process machinery of the paper mill, board mill, pulp production plant or paper finishing plant, and to *control said process machinery*".

Claim 21 also includes the steps of: "continuously gathering data related to manufacturing processes and machinery of the paper mill, or the board mill, or the pulp production plant, or the paper finishing plant by a plurality of information systems" and goes on to claim the specific functions related to said plurality of information systems including at least a process control system, a production management system, a maintenance information system, and a machinery condition monitoring system.

On page 4, lines 7–9, of the Office action, the examiner concedes that *AAPA* does not teach supervision and control. Further in explaining the applied teaching of *EP 0 822 473* on page 4, line 10, through page 5, line 6, the examiner does not assert that the functions of supervision and control are suggested by *EP 0 822 473*. On page 4, lines 14–15 of the Office action, reference is made to "measurement unit and/or production *control* unit (equipment 106)[emphases added]" but "control" is not found within *EP 0 822 473* and "communication controllers 503 and 505" shown in FIG. 6, are clearly limited to communication.

AAPA and *EP 0 822 473* do not fairly suggest the controlling function set forth in claims 19, 20, and 21. This control function has a context in relation to pulp, paper, board, or paper finishing, and has not been addressed by the examiner and therefore a motivation and expectation of success for the claimed invention has not been made out.

Applicant believes that no new matter has been added by this amendment.

Applicant: Kari M. Mäki
Application No.: 09/966,424
Response to Office action mailed Sep. 15, 2005
Response filed December 5, 2005

Applicant submits that the claims, as amended, are in condition for allowance.
Favorable action thereon is respectfully solicited.

Respectfully submitted,



Patrick J. G. Stiennon, Reg. No. 34934
Attorney for Applicant
Stiennon & Stiennon
P.O. Box 1667
Madison, Wisconsin 53701-1667
(608) 250-4870
Amdt7.res